

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

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United States District Court
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DIRECT REPLY TO:

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TO THE CLERK OF THE TRANSFEREE DISTRICT

Dear Clerk:

A transfer order has been issued in this litigation. The order is directed to you for filing. Rule 2.1(d) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, states, "An order to transfer or remand pursuant to 28 U.S.C. § 1407 shall be effective only upon its filing with the clerk of the transferee district court."

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred [transferor court]."

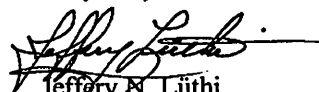
Rule 9.1, pertaining to transfer of files, states that "the clerk of the transferor district shall transmit the record of each transferred action to the transferee district." With the advent of electronic filing, transferee courts rarely request the original file. Most transferee courts send their certified copy of the Panel order with notification of the newly assigned transferee court case number and inform the transferor courts that they will copy the docket sheet via PACER. Some may request a certified copy of the docket sheet and a copy of the complaint (especially if it was removed from state court). You should be specific as to the files you would like to receive from the transferor courts. If no files will be necessary, you should make that clear. Therefore, Rule 9.1 will be satisfied once a transferor court has complied with your request.

You may find Chapter 11 of the Clerks Manual, United States District Courts helpful in managing your MDL docket.

The Panel Clerk's Office maintains the only statistical accounting of multidistrict litigation traffic in the federal courts. Therefore, we would appreciate your cooperation in keeping the Panel advised of the progress of this litigation. We are particularly interested in receiving the docket numbers assigned to each transferred action by your court; the caption and docket numbers of all actions originally filed in your district; and copies of orders regarding appointment of liaison counsel, reassignments to other judges in your district, and any dispositive ruling that terminates a transferred action (settlements, dismissals, state court remands, etc.).

Your attention is also invited to Panel Rule 10.1, regarding termination and remand of transferred actions. This office will promptly file a conditional remand order upon notification/suggestion from the transferee judge that remand of actions or separable claims transferred under Section 1407 is appropriate.

Very truly,


Jeffery N. Lüthi
Clerk of the Panel

cc: Transferee Judge
Chief Judge Transferee District